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Soviet View on Mott

Soviet law regards as a crime the violation of the Soviet Union's state border by foreign citizens without the permission of the Soviet authorities, and Article 83 of the Criminal Code of the Russian Soviet Federative Socialist Republic says that the person who commits such a crime can be punished by a term of one to three years in jail.

That is why the actions of the Soviet authorities that detained and then tried American citizen Newcomb Mott, who penetrated into Soviet territory from Norway, are not arbitrary (as is maintained by your editorial of Nov. 5 and by Senator Fulbright's letter of Nov. 22). This is merely an act of exact implementation of the Soviet law.

I would like to inform the readers of your newspaper of some facts which serve as a confirmation of this. The Ministry of Foreign Affairs of the U.S.S.R. had informed the U.S. Embassy in Moscow of Mott's detention; when Mott was interrogated in Murmansk, he was seen several times by an officer of the U.S. Embassy; Mott's parents, who applied to the Soviet Embassy in Washington, were explained the circumstances in detail, and when they expressed the desire to go to the Soviet Union to attend the trial in Murmansk, they were immediately issued visas after which they came to the U.S.S.R.; present at the sessions of the Regional Court in Murmansk were, besides Mott's parents, an officer of the U.S. Embassy and the correspondents of the U.S. news agencies; with the assistance of the U.S. Embassy in Moscow Mott hired counsel for defense from among the experienced lawyers of the Moscow Bar; at the trial Mott admitted that he had *deliberately* crossed the Norwegian-Soviet border and could clearly see the Norwegian and Soviet border signs.

He also confirmed that the staff of the hotel in the town of Kirkenes (Norway) had warned him about it being

forbidden to visit without a visa the Borisoglebsk tourist base of the Intourist (Murmansk Region), for this base was open, according to an agreement, for nonvisa attendance to citizens of Scandinavian countries; in his statement at the trial Mott expressed regret about the act he had perpetrated and about causing much trouble to the Soviet court and the Soviet and American authorities; when the sentence was passed, Mott was allowed to see his parents.

Now, after a thorough hearing of the case at the trial, which was held in Murmansk between Nov. 22 and 24, the regional court sentenced Mott to a term of 18 months in a corrective labor camp. In keeping with Soviet law Mott can lodge a complaint with the Supreme Court of the RSFSR against the decision of the regional court.

If the Supreme Court of the RSFSR rejects this complaint, the Supreme Court of the U.S.S.R. may hear his case. And in the last event it can be heard by the Presidium of the Supreme Soviet of the RSFSR and the Presidium of the Supreme Soviet of the U.S.S.R., which have the right of pardoning persons who had committed any crime.

There may be different attitudes to the laws of this or that sovereign country, just as there can be different opinions about them. However, nobody has the right to break the law.

What would American authorities say if some Soviet tourists staying, let us say, in Mexico, started crossing the American border without the permission of the State Department and visiting, for instance, Douglas, N. Mex., San Diego, Calif., or other American cities?

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See editorial, "Mr. Mott's Sentence."

Mr. Mott's Sentence

Soviet representatives will not win much sympathy here in their attempt to justify the brutally harsh 18-month sentence imposed upon Newcomb Mott. Consider the letter elsewhere on this page today from Prof. Victor Menzhinsky of the Moscow Institute of International Relations defending the proceedings against Mr. Mott, the American student who wandered innocently if foolishly across the Soviet border from Norway. What would American authorities say, Professor Menzhinsky asks, if Soviet tourists staying in Mexico started crossing the border without State Department permission and visited "Douglas, New Mexico," San Diego or other cities?

Since there is no such place as Douglas, New Mexico, we assume that Professor Menzhinsky means Douglas, Arizona. We cannot be sure what official attitudes would be in the hypothetical instance the professor mentions (it is hard, for example, to imagine bona fide Soviet tourists being allowed by their government to visit Mexico). But we would hope that in such a situation an innocent intruder would be turned back at the border or ushered out of the country without trial. It would be inconceivable, if investigation showed no ulterior purpose, that such a person would be sentenced to prison.

True, as the professor recounts, Mr. Mott's parents were allowed to attend the trial—no very great concession in any civilized country—and that several channels of appeal are still open. Perhaps this is a welcome hint of forthcoming clemency. But only two explanations suggest themselves for the severity so far. One is what Professor Menzhinsky describes as the normal working of the Soviet legal and judicial process. The other is that the government sought to make an example of Mr. Mott as part of a general hardening of the line to demonstrate unhappiness with American policy in Vietnam. Either way, the proceedings reflect a fearful lack of compassion in the Soviet system.